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COMMITTEE AGAINST TORTURE

Eighth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 106th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 28 April 1992, at 3 p.m.

Chairman: Mr. VOYAME

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* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.106/Add.1.

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The meeting was called to order at 3.10 p.m.

ADDRESS BY THE DIRECTOR-GENERAL OF THE UNITED NATIONS OFFICE AT GENEVA AND UNDER-SECRETARY-GENERAL FOR HUMAN RIGHTS

1. The CHAIRMAN welcomed Mr. Antoine Blanca, Director-General of the United Nations Office at Geneva and Under-Secretary-General for Human Rights, and, on behalf of the Committee, congratulated him on his appointment.

2. Mr. BLANCA (Director-General of the United Nations Office at Geneva and Under-Secretary-General for Human Rights) welcomed members to the eighth session of the Committee Against Torture. He regretted that he had been unable to attend the opening meeting. Since it was his first meeting with the members of a body set up to monitor an international human rights instrument, he took the opportunity to assure the Committee of his special interest in activities to combat torture, activities which constituted one of the major goals of the United Nations and the Universal Declaration of Human Rights.

3. He congratulated the Committee's new and re-elected members, and the Chairman and officers on the two-year mandate recently conferred on them. He wished them every success in their struggle against torture and other cruel, inhuman or degrading treatment or punishment, one of mankind's greatest scourges and one of the gravest threats to the integrity and dignity of the person. The Committee, in the few years since its inception, had acquired experience which was all the more fruitful for the close ties it had established with other bodies active in the struggle against torture. His predecessor, Mr. Martenson, had regularly informed the Committee about other relevant bodies' activities and events of interest to the Committee and for the implementation of the Convention; he would try to continue that tradition.

4. Since the Committee's previous session, Monaco and Benin had acceded to the Convention, on 6 December 1991 and 12 March 1992 respectively, thus bringing the number of States parties to 65. Monaco had also made the declarations provided for under articles 21 and 22 of the Convention. Latvia, which had acceded to the Convention on 14 April 1992, would become the sixty-sixth State party next month.

5. The General Assembly, in decision 46/430, had taken note of the Committee's fourth annual report (A/46/46); the Third Committee had expressed satisfaction with the Committee's methods of work and hoped that sufficient financial resources would always be available to ensure that the Convention continued to be implemented effectively. The General Assembly had also taken note, in its resolution 46/110, of the Secretary-General's report on the United Nations Voluntary Fund for Victims of Torture. Since the presentation of the previous report, 16 Governments had made voluntary contributions to the Fund totalling almost US$ 800,000 up to February 1992; subsequent contributions by 7 Governments had taken the total beyond that figure. The Board of Trustees of the Fund, at its tenth session, had examined information concerning 104 projects, and the Secretary-General had approved its recommendation that 72 new grants should be made. The Chairman of the Board would doubtless be providing the Committee with further details.

6. At its previous session, the Commission on Human Rights had discussed the Convention and, in resolution 1992/25, had again urged all States to become parties to the Convention, as a matter of priority, and accept its optional provisions; the Commission had also invited those States parties which had entered reservations to article 20 of the Convention to consider withdrawing them.

7. The Commission had also studied the report of its Special Rapporteur on questions of torture (E/CN.4/1991/17), including the account of his visit to Indonesia and East Timor. During 1991 the Special Rapporteur had again received an alarming number of communications about allegations of torture, and a growing number of requests for urgent action. During the period covered by his latest report, he had addressed urgent appeals to the Governments of 31 countries, 18 of which had already replied; he had also exchanged correspondence with the Governments of 65 countries, many of which were parties to the Convention. The Commission, in resolution 1992/32, had approved the Special Rapporteur's conclusions and recommendations; two of the latter, that incommunicado detention should be declared illegal and that Governments and professional and medical associations should take strict measures against members of the medical profession who played a role in the practice of torture, were matters frequently raised by the Committee itself when examining reports submitted by States parties.

8. The Commission, at its latest session, had also discussed the question of a draft optional protocol to the Convention which would institute a preventive system of visits to places of detention; and it had decided, in resolution 1992/43, to establish an open-ended inter-sessional working group to draft an optional protocol, using as a basis the draft text proposed by the Government of Costa Rica, and to consider the implications of adopting such a protocol. The Commission had invited the Committee, through the Secretary-General, to send its comments for consideration by the working group; the Secretary-General would circulate those contributions to Governments in advance of the working group's meeting, which should take place before the Commission's next session.

9. The Commission had also approved, by resolution 1992/29, the draft Declaration on the protection of all persons from enforced disappearance, and had decided to transmit the text, through the Economic and Social Council, for adoption by the General Assembly.

10. The Working Group established by the Commission to look into cases of arbitrary detention or detention imposed in any other manner incompatible with relevant international norms had adopted, during its second session in March 1992, an urgent action procedure - already used several times - consisting in transmitting a complaint received by the Group to the Ministry for Foreign Affairs of the country concerned by the speediest possible means. He hoped that that new procedure would provide better protection for the persons concerned.

11. The States parties to the Convention, at their third meeting held on 26 November 1991 (CAT/SP/SR.3), had discussed the question of their financial obligations under the Convention, on which the mechanism for that

instrument's implementation depended. They had approved the programme budget estimates for 1992 and 1993 but had voiced their increasing concern about the viability of the financial regime established pursuant to the Convention. They had requested the Secretary-General to bring their decision (contained in document CAT/SP/SR.3) to the Committee's attention.

12. In January 1992 Australia had transmitted to the Secretary-General a proposed amendment to the provisions of articles 17 and 18 of the Convention relating to the mechanism for financing that instrument. The aim was to transfer the financing of the Convention, hitherto based exclusively on contributions by States parties, to the United Nations regular budget. The procedure, pursuant to article 29 of the Convention, which enabled States parties to consider the amendment proposed by Australia was already under way.

13. He reiterated to the Chairman and members of the Committee his best wishes for success in their tasks, in the course of which he and the secretariat would provide their fullest support.

14. The CHAIRMAN thanked the Director-General of the United Nations Office at Geneva and Under-Secretary-General for Human Rights for his address and good wishes.

ORGANIZATION OF WORK

15. The CHAIRMAN said that a matter had arisen in connection with the implementation of article 20 of the Convention, which would have to be considered in closed session. If there was no objection, therefore, he would close the public meeting in order that a closed meeting could be held immediately.

16. It was so agreed.

The public meeting rose at 3.35 p.m.